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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,028	08/10/2001	Aleta Ricciardi	SYN006-152991-4	5194

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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/928,028

Applicant(s)

RICCIARDI, ALETA

Examiner

Asghar Bilgrami

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 06/28/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/12/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on August 10, 2001 was filed after the mailing date of the final office action on February 12, 2003. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claim 1-57 are rejected under 35 U.S.C. 102(e) as being anticipated by "Core JINI", second edition, Sun Microsystems press, Java series by W. Keith Edwards.
5. As per claim 1 Edwards disclosed a mobile group proxy for use by a client to call a group of services in a distributed computing application comprised of: a mobile group shell code module containing logic to interact with the group; and at least one mobile service proxy code module containing logic for the client to interact with one of the services in the group (page. 63, lines 36-38, page 64, lines 9-16 & 33-38).
6. As per claims Edwards disclosed 2, 8, 9, 10, 15, 16, 17, 32 & 41 the mobile group proxy described in claim 1 wherein the mobile group proxy is created while the application is executing (page 64. lines 27-32).
7. As per claim 3 Edwards disclosed the mobile group proxy described in claim 1 wherein the mobile group proxy can be modified while the application is executing (page. 65, lines 1-8).

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8. As per claim 4, 11, 18, 33, 42, 47, 52 & 56 Edwards disclosed the mobile group proxy described in claim 1 wherein the group proxy is able to buffer commands from the client to the group of services when the group is not available (page 65, lines 19-35).

9. As per claims 5, 12, & 31 Edwards disclosed a method of creating a group proxy for use by a client to call a group of services in a distributed computing application comprising the steps of selecting a group logic shell for the group; selecting at least one service proxy for a service within the group; and combining the group logic shell with the at least one service proxy (page. 68, lines 29-32 & page. 69, lines 1-13).

10. As per claims 6 & 13 Edwards disclosed the method of claim 5 wherein the group logic shell is selected based upon the type of group structure desired (page.65, lines 1-8).

11. As per claims 7, 14, 20, 35, 44 & 49 Edwards disclosed the method of claim 6 wherein the group structure is peer or coordinator cohort (page.65, lines 1-8).

12. As per claims 19 & 30 Edwards disclosed a distributed computing system comprising: a plurality of computing devices; a plurality of services, operating on at least one of the computing devices, arranged into a group; a client, operating on at least one of the computing devices, that calls the group to perform a task; a group proxy, operating on at least one of the computing devices, used by the client to communicate with the group; a group service, operating on at least one of the computing devices, that creates and updates the group proxy and a communication network allowing the services and client to communicate with each other across the computing devices (page.78, lines 1-27, page. 69, lines 34-38 & page.70, lines 1-10).

13. As per claims 21 & 55 Edwards disclosed the system described in claim 19 further comprised of additional services arranged into at least one additional group (page.78, lines 1-27).

14. As per claims 22 & 36 Edwards disclosed the system described in claim 21 wherein at least one of the groups is comprised of a single service (page.78, lines 1-27).

15. As per claims 23 & 37 Edwards disclosed the system describe in claim 21 wherein all the services in each group perform the same task (page.70, lines 26-36, page.71, lines 1-4 & page.78, lines 1-27).

16. As per claim 24 Edwards disclosed the system described in claim 21 further comprising a group proxy for each group (page.72, lines 9-18, 31-34 & page 73).

17. As per claims 27, 38, & 54 Edwards disclosed the system described in claim 19 wherein the plurality of computing devices are virtual machines within a general purpose computer (page.70, lines 26-36, page.71, lines 1-4).

18. As per claims 28, 39 & 57 Edwards disclosed the system described in claim 19 further comprising a look-up service, operating on at least one of the computing devices, that lists the group and some of the other services available in the system (page.72, lines 9-18, 31-34 & page 73).

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19. As per claim 29 & 40 Edwards disclosed the system described in claim 28 wherein the look-up service and the group service are combined into a single service (page.72, lines 9-18, 31-34 & page 73).

20. As per claims 34, 25, 26 & 53 Edwards disclosed a distributed computing system comprising: a plurality of computing devices; a plurality of services, operating on at least one of the computing devices, arranged into a plurality of groups, with each of these services having an associated service proxy, operating on at least one of the computing devices, said service proxy used to call its associated service; a plurality of clients, operating on at least one of the computing devices, that call the groups to perform tasks; a plurality of group proxies, each group proxy being associated with a group, operating on at least one of the computing devices, and being used by a client to communicate with its associated group, and each group proxy being comprised of a group logic shell containing the logic necessary to communicate with the associated group (page.72, lines 9-18, 31-34, page 73 & page.78, lines 1-27); and at least one of the service proxies associated with a service within the associated group; a group service, operating on at least one of the computing devices (page.74, lines 13-15 & page.75, lines 1-8), that creates and updates the group proxy; a plurality of grouping agents, each grouping agent being associated with a grouped service, operating on at least one of the computing devices, and communicating on behalf of its associated service with the group service and other services within its group; and a communication network allowing the computing devices to communicate with each other (page.68, lines 29-32 & page.69, lines 1-13).

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21. As per claims 43 & 48 Edwards disclosed a method of grouping services in a distributed computing application comprising the steps of: initiating a plurality of services arranged into a group, with each service having its own service proxy and grouping agent (page.63, lines 36-38, page.65, lines 19-35); each grouping agent registering its associated service with a group service including providing the group service with the service proxy of the service it is registering (page.68, lines 29-32 & page.69, lines 1-13); the group service bundling a group logic shell with at least one of the service proxies to form a group proxy for the group (page.69, lines 34-38 & page.70, lines 1-10); the group service providing the group proxy to a client; and the client using the group proxy to call the group (page.72, lines 9-18, lines 31-34 & page 73).

22. As per claims 45 & 50 Edwards disclosed the method described in claim 43 wherein the services are arranged into a plurality of groups, there is a group logic shell for each group and the group service creates a group proxy for each group (page.72, lines 31-34, page.73 & page.78, lines 1-27).

23. As per claims 46 & 51 Edwards disclosed the method described in claim 43 wherein the group service provides the group proxy to the client by registering the group proxy with a look-up service (page.68, lines 29-32 & page.69, lines 1-13).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB

Asghar Bilgrami
Examiner
Art Unit 2143

William C. Vaughn
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Art Unit 2143
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